

CRM-M-10539 of 2020

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**211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-10539 of 2020

Date of Decision:16.08.2021

JARMAN SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.Jivtesh Singh Nagi, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G. Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.91 dated 25.09.2015 registered under Section 21, 29 and 61 of the NDPS Act, at Police Station Vatocha District Taran Taran.

It appears that there is a typographical error in the fifth line of the order dated 12.03.2020. Word 'form' has to be

read as 'from'. Necessary correction be carried out in the said order.

On 12.03.2020, following order was passed:-

"Learned counsel for the petitioner contends that the petitioner was appearing regularly before the trial Court, but he absented himself on 23.01.2020 on account of wrong recording of the date as 23.02.2020. 200 grams of heroin was allegedly recovered from (corrected vide order of even date) two persons. Non-bailable warrants were issued to the petitioner along with notice to the surety under Section 446 Cr.P.C vide order dated 23.01.2020 for 15.02.2020. On 15.02.2020, the order was passed by the trial Court on the ground that on number of occasions, non-bailable warrants were issued to the petitioner in order to secure his presence, but he has failed to appear in the Court despite service. He was ordered to be summoned through proclamation under Section 82 Cr.P.C for 24.03.2020.

Notice of motion for 30.04.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 25.03.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C."

Learned counsel for the petitioner submits that after passing of the aforesaid order, petitioner has not contacted his office and he has no instructions in the present case.

Learned State counsel, on instructions from ASI Gurdial Singh, submits that the petitioner has not joined the investigation and he is absconding since January, 2020.

Since learned counsel for the petitioner has pleaded no instructions, therefore, no indulgence can be granted in favour of the petitioner.

This petition is accordingly dismissed.

(RAJ MOHAN SINGH)
JUDGE

16.08.2021
Amandeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No